

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re

CENTER CITY HEALTHCARE, LLC d/b/a  
HAHNEMANN UNIVERSITY HOSPITAL, *et al.*,<sup>1</sup>

Debtors.

CENTER CITY HEALTHCARE, LLC, d/b/a  
HAHNEMANN UNIVERSITY HOSPITAL,  
PHILADELPHIA ACADEMIC HEALTH SYSTEM,  
LLC AND ST. CHRISTOPHER'S HEALTHCARE,  
LLC

Plaintiffs,

v.

MEDTRONIC USA, INC. and  
MEDTRONIC XOMED, INC.,

Defendants.

Chapter 11

Case No. 19-11466 (MFW)

(Jointly Administered)

Adv. Proc. No. 22-50262 (MFW)

**Re: Docket No. 9**

**STIPULATION MODIFYING SCHEDULING ORDER**

The above-captioned plaintiffs in this adversary proceeding (the “**Plaintiffs**”) and Medtronic USA, Inc. and Medtronic Xomed Inc. (“**Defendants**” and together with Plaintiffs, collectively, the “**Parties**”), hereby enter into this “Stipulation Modifying Scheduling Order” (the “**Stipulation**”).

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Center City Healthcare, LLC (3341), Philadelphia Academic Health System, LLC (8681), St. Christopher's Healthcare, LLC (8395), Philadelphia Academic Medical Associates, LLC (8165), HPS of PA, L.L.C. (1617), SCHC Pediatric Associates, L.L.C. (0527), St. Christopher's Pediatric Urgent Care Center, L.L.C. (6447), SCHC Pediatric Anesthesia Associates, L.L.C. (2326), StChris Care at Northeast Pediatrics, L.L.C. (4056), TPS of PA, L.L.C. (4862), TPS II of PA, L.L.C. (5534), TPS III of PA, L.L.C. (5536), TPS IV of PA, L.L.C. (5537), and TPS V of PA, L.L.C. (5540). The Debtors' mailing address is 216 North Broad Street, 4th Floor, Philadelphia, Pennsylvania 19102.

**RECITALS**

A. On July 7, 2022, the Court entered the “Pre-Trial Scheduling Order” (the “**Scheduling Order**,” Docket No. 9).

B. Discovery is ongoing, but the Parties have met and conferred and have agreed to extend the deadlines in the Scheduling Order by approximately 90 days.

**STIPULATION**

NOW, THEREFORE, IT IS HEREBY STIPULATED as follows:

1. All fact discovery shall be initiated consistent with applicable rules of procedure so that fact discovery including depositions of fact witnesses are completed by March 15, 2023.

2. The Parties shall provide expert reports for any issue on which they bear the burden of proof by May 31, 2023. The Defendants shall provide any expert report in respect of the issue of insolvency by May 31, 2023. Any expert report by any of the Parties intended to rebut any other expert report shall be provided by June 30, 2023. All reports shall provide the information required by Fed. R. Civ. P. 26(a)(2)(B).

3. All expert discovery shall be completed by, and discovery shall close on, July 31, 2023.

4. All dispositive motions shall be filed and served by August 31, 2023, and shall be subject to Rule 7.1.2 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware.

5. Following submission of dispositive motions, or the lapse of the deadline set forth in Paragraph 4 above with no dispositive motions having been filed, the Parties may contact the Court to schedule a status conference to discuss, among other things, the scheduling of a pre-trial conference and trial.

6. The Parties may modify the deadlines set forth herein by (i) mutual agreement (other than with respect to hearing dates, which shall be subject to the Court's availability) or (ii) upon request and further order from the Court, which request may be granted for good cause. The Parties agree to act in good faith in discussing any extension to any deadline.

7. The Parties agree that service by e-mail on all other Parties of discovery requests and written responses is sufficient.

8. This terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

**SAUL EWING LLP**

/s/John D. Demmy

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